FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Operations Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) This amendment becomes effective on March 30, 1998.

Issued in Renton, Washington, on February 12, 1998.

Gilbert L. Thompson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–4248 Filed 2–20–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–30–AD; Amendment 39–10352; AD 98–04–41]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–200 and –300 Series Airplanes Equipped With a Main Deck Cargo Door Installed in Accordance With Supplemental Type Certificate SA2969SO

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 737–200 and –300 series airplanes. This action requires repetitive inspections to detect cracks in the hinge and lift actuator box area of the main deck cargo door and upper jamb of the fuselage; and repair or replacement of any cracked part with a new part having the same part number. This amendment is prompted by a report that, during a periodic heavy maintenance check, cracks were found in the upper jamb area of the fuselage and in the main deck cargo door. The actions specified in this AD are intended to detect and correct such cracking, which could result in reduced structural integrity of the main cargo door and/or fuselage, and consequent loss or opening of the main deck cargo door while the airplane is in flight, or reduced controllability of the airplane.

DATES: Effective March 10, 1998.

Comments for inclusion in the Rules Docket must be received on or before April 24, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 98–NM–30–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Information concerning this amendment may be obtained from or examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, Suite 450, Atlanta, Georgia 30349.

FOR FURTHER INFORMATION CONTACT: Curtis Jackson, Aerospace Engineer, Airframe and Propulsion Branch, ACE–117A, FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, Suite 450, Atlanta, Georgia 30349; telephone (770) 703–6083; fax (770) 703–6097.

SUPPLEMENTARY INFORMATION: The FAA has received a report that, during a periodic heavy maintenance check of a Boeing Model 737–300 series airplane equipped with a main deck cargo door installed in accordance with Supplemental Type Certificate SA2969SO, cracks were found in the upper jamb area of the fuselage and in the main cargo door. The cracks were between 0.50 inches and 2.35 inches in length. The cause of such cracking is unknown at this time. However, several scenarios (e.g., improper cargo door operations during loading and unloading of cargo, and improper fastener locations) are being examined at this time to determine a possible cause of the cracking.

Cracking in the upper jamb area of the fuselage or in the main deck cargo door, if not corrected, could result in reduced structural integrity of the main deck cargo door and/or fuselage, and consequent loss or opening of the main deck cargo door while the airplane is in flight, or reduced controllability of the airplane.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 737–200 and –300 series airplanes, equipped with a main deck cargo door installed in accordance with Supplemental Type Certificate SA2969SO, of the same type design, this AD is being issued to detect and correct cracking in the upper jamb area of the fuselage and in the main deck cargo door; such cracking could result in reduced structural integrity of the main deck cargo door and/or fuselage, and consequent loss or opening of the main deck cargo door while the airplane is in flight, or reduced controllability of the airplane. This AD requires repetitive detailed visual inspections to detect cracks in the hinge and lift actuator box area of the main deck cargo door and upper jamb of the fuselage; and replacement of any cracked part with a new part having the same part number, or repair in accordance with a method approved by the FAA.

Interim Action

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments,

in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 98–NM–30–AD.'' The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket.

A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

98–04–41 Boeing: Amendment 39–10352. Docket 98–NM–30–AD.

Applicability: Model 737–200 and –300 series airplanes equipped with a main deck cargo door installed in accordance with Supplemental Type Certificate (STC) SA2969SO; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To detect and correct cracking in the upper jamb area of the fuselage and in the main cargo door, which could result in reduced structural integrity of the main cargo door and/or fuselage, and consequent loss or opening of the main cargo door while the airplane is in flight, or reduced controllability of the airplane, accomplish the following:

(a) Within 10 days after the effective date of this AD, and thereafter at intevals not to exceed 600 flight cycles, perform a detailed visual inspection to detect cracks in the hinge and lift actuator box area of the main deck cargo door and upper jamb of the fuselage. Pay particular attention to the upper frame of the fuselage and upper jamb frames of the main deck cargo door, primary longeron, and clips of the fuselage, primarily in the hinge and lift actuator box area. If any crack is detected, prior to further flight, replace the cracked part with a new part having the same part number, or repair in accordance with a method approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA, Small Airplane Directorate.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Atlanta ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) This amendment becomes effective on March 10, 1998.

Issued in Renton, Washington, on February 12, 1998.

Gilbert L. Thompson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–4245 Filed 2–20–98; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 177

[Docket No. 97F–0336]

Indirect Food Additives: Polymers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to change the intrinsic viscosity specifications for the poly(2,6-dimethyl-1,4-phenylene) oxide resins intended for use in contact with food from ''not less then 0.40 deciliter per gram'' to ''not less than 0.30 deciliter per gram'' as determined by ASTM method D1243–79. This action is in response to a petition filed by General Electric Co.

DATES: Effective February 23, 1998. Written objections and requests for a hearing by March 25, 1998.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Vir D. Anand, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3081.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of August 14, 1997 (62 FR 43535), FDA announced that a food additive petition (FAP 7B4551) had been filed by General Electric Co., One Lexan Lane, Mt. Vernon, IN 47620–9364. The petition proposed to amend the food additive regulations in § 177.2460 *Poly(2,6-dimethyl-1,4-phenylene) oxide resins* (21 CFR 177.2460) to change the intrinsic viscosity specifications for the poly(2,6-dimethyl-1,4-phenylene) oxide resins intended for use in contact with food from ''not less then 0.40 deciliter per gram'' to ''not less than 0.30 deciliter per gram'' as determined by ASTM method D1243–79.